

REMARKS

Claims 1, 3-9, and 11 remain pending for which applicants seek reconsideration.

Amendment

In light of the examiner's comments, the specification has been amended to more clearly recite the structural relationship of the components with respect to the drawings. The claims have been further amended to improve readability and form. Specifically, for completeness, claim 1 now defines a housing, recites that partition walls are within the housing, and that the partition walls form four air-mixing chambers downstream of the heater. This amendment is made for clarification purposes, not to further distinguish over the applied references.

§ 112 Rejection

Claims 1-10 were rejected under 35 U.S.C. § 112, first paragraph, because the original specification does not enable one skilled in the art to use and/or make the claimed invention. Applicants again traverse this rejection for the same reasons set forth in the last reply. Applicants submit a schematic illustration (Exhibit A) of the four mixing chambers 50, 52, 54, and 56 and their respective warm-air control elements 36, 38, 40, and 42. The direction of air flow is into the page.

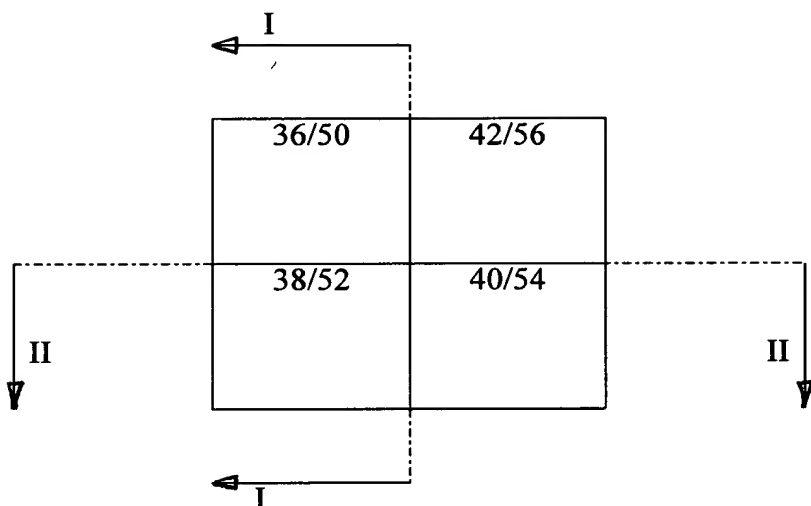


EXHIBIT A

Fig. 1 illustrates the left half (36/50, 38/52) of the housing 12, whereas Fig. 2 illustrates the lower half (38/52, 40/54) of the housing. The examiner is correct that the complete upper half or the complete right half of the housing containing elements 42/56 is not shown. The examiner required applicants to illustrate elements 42/56. In this respect, revised Fig. 3 was submitted, completely illustrating elements 36/50, 38/52, 40/54, and 42/56.

Drawing Objection

Proposed drawings changes are enclosed. Changes to Figs. 1 and 2 are readily apparent, and thus are not discussed. Changes to Fig. 3 are more complex. Applicants essentially are schematically showing the four heating regions, i.e., warm-air mixing chambers 50, 52, 54, and 56 (clockwise) and the warm-air control elements 40, i.e., a

plurality of lamellae 44, and the flaps 30, 30', 32, and 32', per the examiner's objection to the claims under Rule 83(a).

The drawings submitted in the last reply already incorporate these changes. The examiner, however, objected to Fig. 3 as introducing new matter to which applicants traverse. Fig. 3 is a schematic illustration of the four mixing chambers, 50, 52, 54, and 56. The examiner seems to view that changing the size and disposition of ducts 68, and eliminating parts of the casing, pipes, etc., introduce new matter. These changes do not present new matter because the size and particular geometric configuration, and other extraneous matters illustrated before are irrelevant to the invention being claimed. None of the objected aspects are claimed. The specification has been amended to state that Fig. 3 schematically illustrates the mixing chambers.

If the examiner maintains the objection to new Fig. 3, applicants request the examiner to explain how the drawing(s) should be amended.

Art Rejection

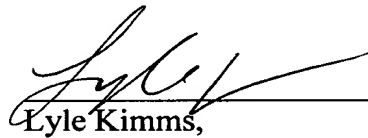
Applicant submit that the present pending claims define over the applied references for the reasons set forth in the last reply.

Conclusion

Applicants request reconsideration of the objections and rejections raised in the last Communication. Applicants submit that the present application is in condition for allowance.

Respectfully submitted,

Date: July 16, 1999


Lyle Kimms,

Reg. No. 34,079

FOLEY & LARDNER
3000 K Street, N.W.
Suite 500
Washington, D.C. 20007
(202) 672-5300
(202) 672-5399 (FAX)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9
7/21/99
82854602

In re Application of:
Oliver BECK, *et al.*

Serial No.: 09/121,702

Filed: July 24, 1998

For: HEATING OR AIR CONDITIONING
SYSTEM FOR A MOTOR VEHICLE

Group Art Unit: 3743

Examiner: J. Ford

Attorney Docket No.: 16906/183

Assistant Commissioner for Patents
Washington, D.C. 20231

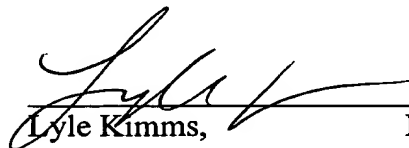
PROPOSED DRAWING AMENDMENT
FOR EXAMINER'S APPROVAL

Sir:

Enclosed for the examiner's approval are copies of Figs. 1-3 with red ink markings showing the proposed changes.

Respectfully submitted,

Date: July 16, 1999


Lyle Kimms,

Reg. No. 34,079

FOLEY & LARDNER
3000 K Street, N.W.
Suite 500
Washington, D.C. 20007
(202) 672-5300
(202) 672-5399 (FAX)

As Filed
7-24-98

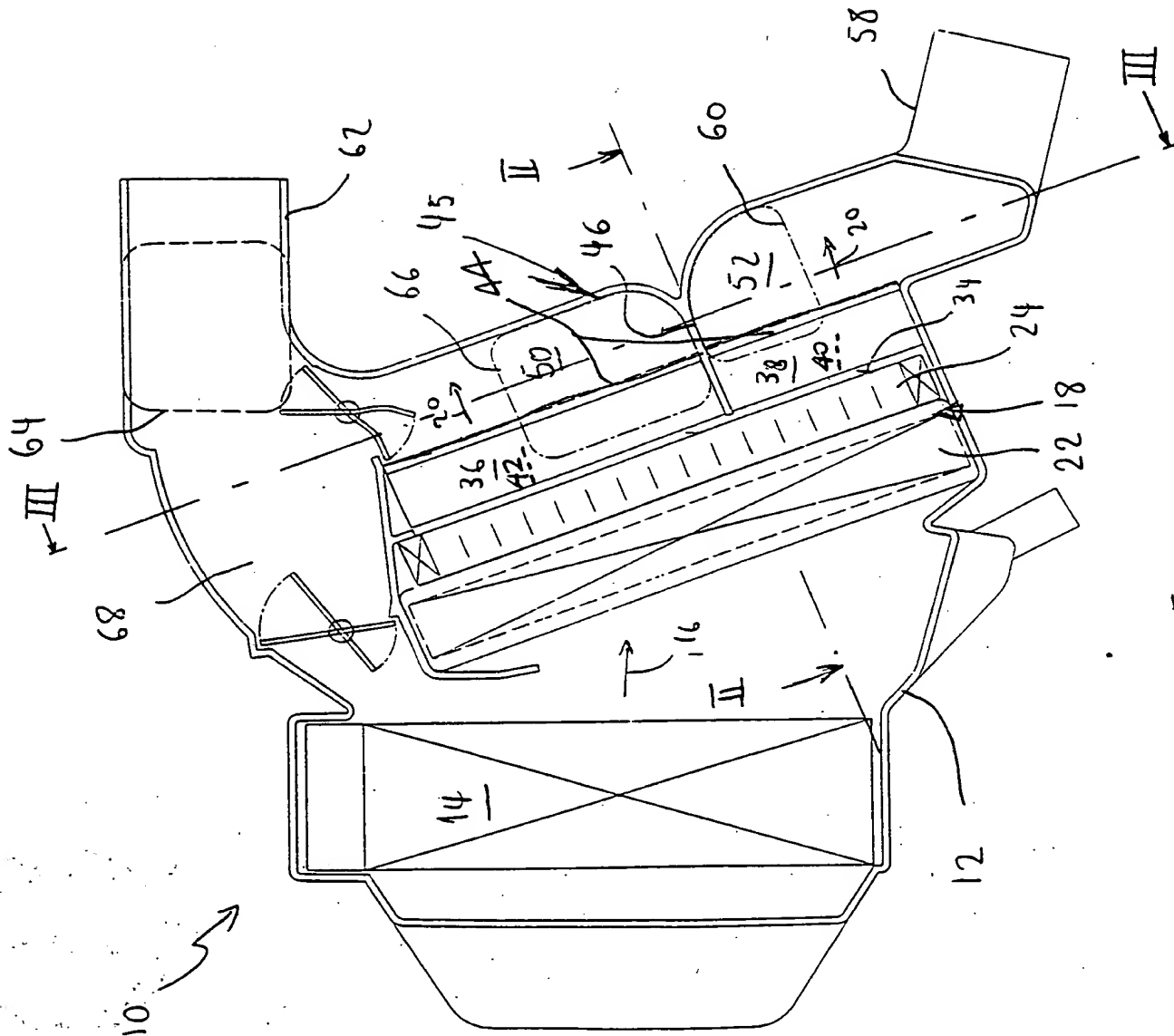


Fig. 1

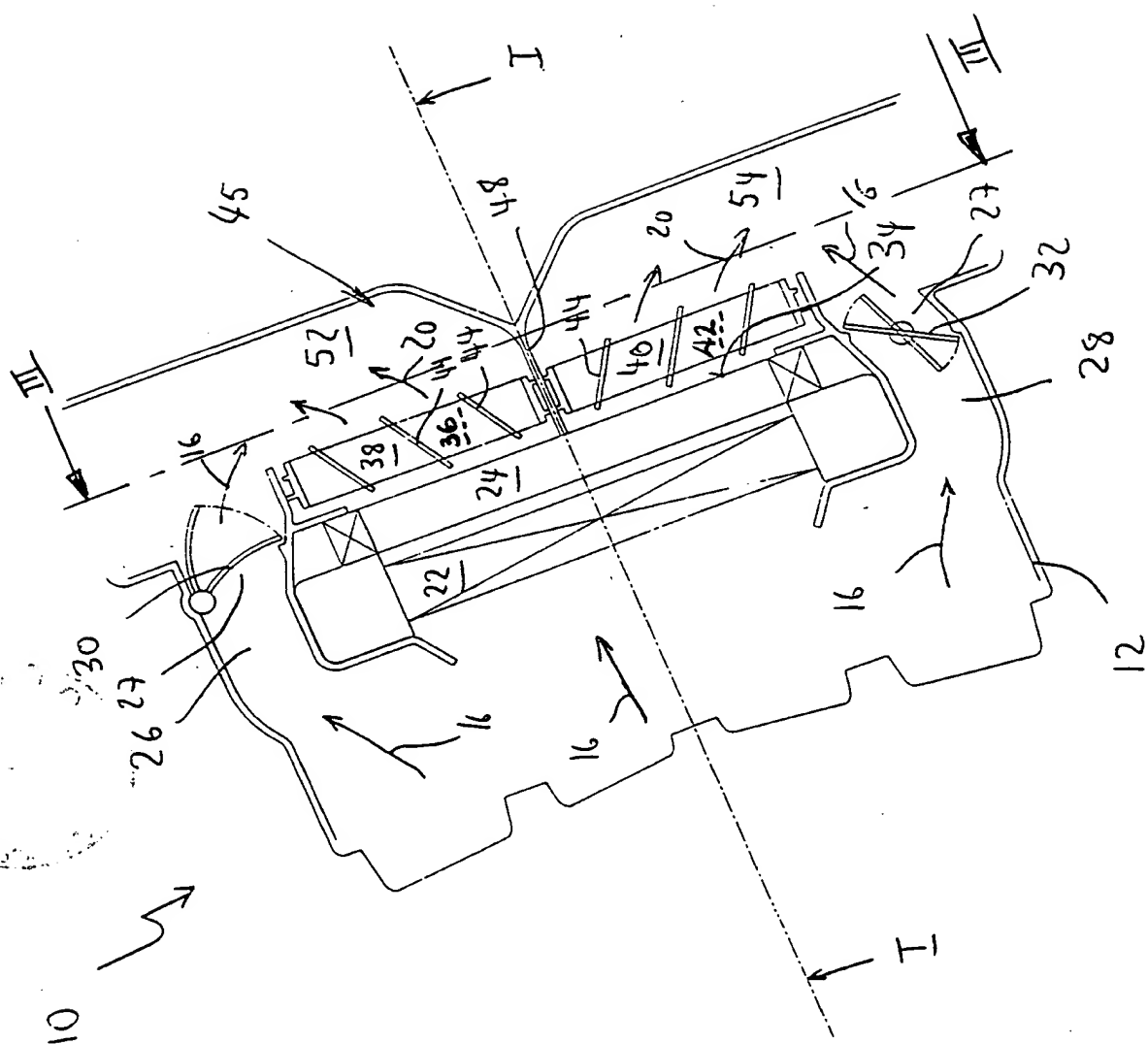


Fig. 2

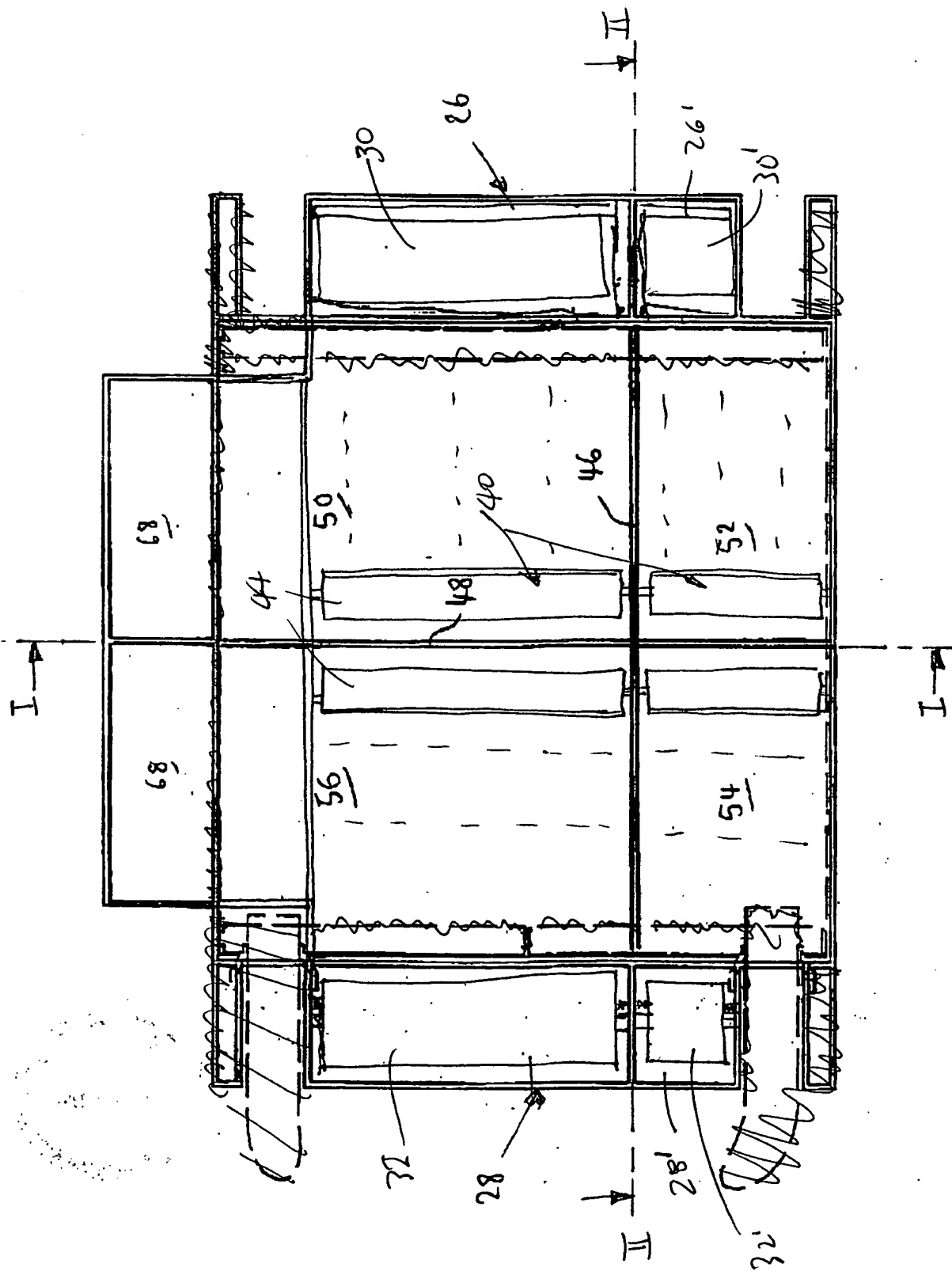


Fig. 3